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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,380	03/14/2001	Nobuyuki Katada	14389	3316
23389	7590	08/11/2004	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA GARDEN CITY, NY 11530			BEHULU, ALEMAYEHU	
		ART UNIT		PAPER NUMBER
		2682		
DATE MAILED: 08/11/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)
	09/808,380	KATADA, NOBUYUKI
	Examiner Alemayehu Behulu	Art Unit 2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04/09/04.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,2,4,5,7 and 8 is/are rejected.
 7) Claim(s) 3,6 and 9 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Blanchard (U.S. Patent No. 6, 408, 191).

Regarding to claims 1 and 4, Blanchard discloses a retrieval telephone number displaying method or system for a portable telephone set (figure 2, number 200) for retrieving telephone numbers and other data registered in the portable telephone set (figure 4, number 401) and displaying the retrieved data in a display of the portable telephone set (figure 2, number 210), wherein data retrieved in a predetermined sequence is displayed together with total number of cases of the retrieved data and the predetermined sequence (figure 4, numbers 401-404).

Regarding to claim 7, a portable telephone set (figure 2, number 200) comprising a CPU (figure 1, number 113), a memory (figure 1, number 112) for storing such data as telephone numbers and names, a display (figure 2, number 210) for storing the stored data, wherein the CPU retrieves the data stored in the memory in a predetermined sequence (figure 3, number 331), and displays the data retrieved in the predetermined sequence on the display of the portable telephone

set together with the total number of cases of the retrieved data and the predetermined sequence (figure 4, numbers 401-404).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 , 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchard (U.S. Patent No. 6, 408, 191) further in view of Cushman (U.S. Patent No. 6, 125, 287).

Regarding to claims 2, 5 and 8, Blanchard discloses the retrieved telephone number displaying method or system for a portable telephone set according to claim 1, 4 and 7 respectively, wherein the data retrieved in the predetermined sequence (figure 3, number 331) is displayed together with the total number of cases of the retrieved data (figure 4, numbers 401-404). However, Blanchard fails to disclose rearranging in a sequence of greater number of times of utilization and displaying in the sequence of greater number of times of utilization in the rearranged sequence. But, Cushman discloses rearranging in a sequence of greater number of times of utilization (column 3, lines 56-63 figures 5a and 6f) and displaying (figure 2g-2k) in the sequence of greater number of times of utilization (figure 2a) in the rearranged sequence (figures 5a and 6f and column 10, lines 63-column 11, lines 25). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine

Blanchard (U.S. Patent No. 6, 408, 191) with Cushman (U.S. Patent No. 6, 125, 287) in order to save time.

Therefore, the combination the above teachings of Blachard and Gushman, meets the claimed limitations and would resemble the invention of the applicant.

Allowable Subject Matter

3. Claims 3, 6, and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding to claims 3, 6, and 9, the applied references fail to disclose, or render obvious the claimed limitations that data retrieved by Japanese 50-kana sequence retrieval method and a kana affixing method, as specified in the claim

Response to Arguments

4. Applicant's arguments filed 04/09/04 have been fully considered but they are not persuasive.

Applicant argues that the predetermined sequence is not taught by the applied references. However, the examiner disagrees with applicant. According to the specification of the applicant, predetermined sequence is retrieving telephone numbers and other data and displaying by sequence with the total number of cases (paragraph [0009]) of the U.S. Pub. No. 2001/0027124).

Blachard discloses retrieving messages from service provider and displaying it in a predetermined sequence with total number of cases (column 1, lines 62-column 2, lines 39, figure 4, numbers 401-404, please refer to 01 of 7, 02 of 7, 03 of 7, here, 01, 02, 03.. are sequences while the 07 indicates the total number of cases).

Applicant argues that Gushman et al. doesn't disclose the automatic rearrangement. However, the examiner disagrees with applicant. According to the specification of the applicant, rearrangement the data retrieved is rearranged in a sequence of greater number of times of utilization (paragraph [0010] of the U.S. Pub. No. 2001/0027124) no maintaining of automatic or manual. Data retrieving from service provider and displaying by sequence is taught by Blachard (column 1, lines 62-column 2, lines 39, figure 4, numbers 401-404), and Gushman discloses automatically rearranging (column 5, lines 25-32) and rearranging in a sequence of greater number of times of utilization (column 3, lines 56-column 4, lines 12).

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alemayehu Behulu whose telephone number is 703-305-4828. The examiner can normally be reached on 8 AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB



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